

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

In re:

**JAMES BRADY WILLIAMS JR and  
LUCRETIA DESIREE WILLIAMS**  
a/k/a JAMES D WILLIAMS JR, LUCRETTIA  
WILLIAMS, LUCRETIA B WILLIAMS,  
LUCRETIA DURISON

**Case No. 10-80443**

S.S. Nos.: xxx-xx-0323 and xxx-xx-0901

Mailing Address: 418 RUSHMORE DR, Raeford, NC 28376-

Debtors.

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtors have filed for relief under Chapter 13 of the United States Bankruptcy Code on March 12, 2010.

The filing automatically stays collection and other actions against the Debtors, Debtors' property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtors' proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: April 7, 2010

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt  
N.C. State Bar No. 10212  
Counsel for the Debtors  
6616-203 Six Forks Rd.  
Raleigh, N.C. 27615  
Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

# **CH. 13 PLAN - DEBTS SHEET** (MIDDLE DISTRICT - DESARDI VERSION)

Date: **3/8/10**  
 Lastname-SS#: **Williams-0323**

## **RETAIN COLLATERAL & PAY DIRECT OUTSIDE PLAN**

Retain	Creditor Name	Sch D #	Description of Collateral
	Wells Fargo Home Mtg	4	House & Lot
	Hoke County Taxes	1	House & Lot
	Terminix		Contract

## **SURRENDER COLLATERAL**

Creditor Name	Description of Collateral
None	

## **ARREARAGE CLAIMS**

Retain	Creditor Name	Sch D #	Arrearage Amount	(See †)
	Wells Fargo Home Mtg	4		**
	Hoke County Taxes	1		**
	Terminix			**
				**
				**
	Regional Acceptance Corp	2		**
				**
				**
				**

## **REJECTED EXECUTORY CONTRACTS/LEASES**

Creditor Name	Description of Collateral
ADT Security	Home Security Monitoring

## **LTD - DOT ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS**

Retain	Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	Regional Acceptance Corp	2	\$315	N/A	n/a	\$315.00	2009 Saturn Vue Utility
				N/A	n/a		
				N/A	n/a		
				N/A	n/a		

## **STD - SECURED DEBTS at FMV**

Retain	Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	None			5.00			
				5.00			
				5.00			
				5.00			

## **STD - SECURED DEBTS at 100%**

Retain	Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
	Santander	3	\$8,932	5.00	\$53	\$215.22	2003 GMC Envoy
				5.00			
				5.00			
				5.00			
				5.00			

ATTORNEY FEE (Unpaid part)		Amount
Law Offices of John T. Orcutt, P.C.		\$2,800
SECURED TAXES		Secured Amt
IRS Tax Liens		
Real Property Taxes on Retained Realty		
UNSECURED PRIORITY DEBTS		Amount
IRS Taxes		
State Taxes		
Personal Property Taxes		
Alimony or Child Support Arrearage		
CO-SIGN PROTECT (Pay 100%)	Int. %	Payoff Amt
All Co-Sign Protect Debts (See*)		
GENERAL NON-PRIORITY UNSECURED		Amount**
DMI=	None(\$0)	None(\$0)

## **PROPOSED CHAPTER 13 PLAN PAYMENT**

\$ **\$621** per month for **60** months, then

\$ **N/A** per month for **N/A** months.

Adequate Protection Payment Period: **9.25** months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

† = May include up to 2 post-petition payments.

\* Co-sign protect on all debts so designated on the filed schedules.

\*\* = Greater of DMI x ACP or EAE (Page 4 of 4)

Ch13Plan\_MD\_(DeSardi Version 1/12/10) © LOJTO

## **Other Miscellaneous Provisions**

Plan to allow for 3 "waivers".

## **CERTIFICATE OF SERVICE**

I, WILLIAM MCDONALD, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s WILLIAM MCDONALD  
WILLIAM MCDONALD

North Carolina Department of Revenue c/o NC Department of Justice Post Office Box 629 Raleigh, NC 27602-0629	Internal Revenue Service (ED)** Post Office Box 21126 Philadelphia, PA 19114-0326	Christian Debt Consolidation 2201 NW Corporate Boulevard Suite 202 Boca Raton, FL 33431
Employment Security Commission Attn: Benefit Payment Control Post Office Box 26504 Raleigh, NC 27611-6504	US Attorney's Office (ED)** 310 New Bern Avenue Suite 800, Federal Building Raleigh, NC 27601-1461	Citi Health Card Post Office Box 653054 Dallas, TX 75265-3054
Credit Bureau Post Office Box 26140 Greensboro, NC 27402	ADT 2515 Downing Road Fayetteville, NC 28312	CitiFinancial Bankruptcy Department Post Office Box 140489 Irving, TX 75014-0489
NC Child Support Centralized Collections Post Office Box 900006 Raleigh, NC 27675-9006	American Debt Counseling 14051 NW 14th Street Fort Lauderdale, FL 33323	CitiFinancial, Inc. NC 3900 Raeford Road Fayetteville, NC 28304-3381
Equifax Information Systems LLC P.O. Box 740241 Atlanta, GA 30374-0241	American Express c/o USAA Savings Bank 10750 McDermott Freeway San Antonio, TX 78288-0544	Credit Bureau of Greensboro Post Office Box 26140 Greensboro, NC 27402-0040
Experian P.O. Box 2002 Allen, TX 75013-2002	Badcock & More Home Furniture Post Office Box 1034 Mulberry, FL 33860-1034	Troy Durison 23 Miller Road Boyce, LA 71409-9735
Innovis Data Solutions Attn: Consumer Assistance P.O. Box 1534 Columbus, OH 43216-1534	Best Buy c/o HSBC Retail Services Post Office Box 15521 Wilmington, DE 19850-5521	GE Money Bank Bankruptcy Department Post Office Box 103104 Roswell, GA 30076-3104
Trans Union Corporation P.O. Box 2000 Crum Lynne, PA 19022-2000	Capital One Bank Post Office Box 30285 Salt Lake City, UT 84130-0285	GE Money Bank Bankruptcy Dept. Post Office Box 103104 Roswell, GA 30076-3104
ChexSystems Attn: Consumer Relations 7805 Hudson Road, Ste. 100 Woodbury, MN 55125	Care Credit c/o GE Money Bank Post Office Box 981439 El Paso, TX 79998-1439	Harbor Credit Counseling Service Post Office Box 9228 Virginia Beach, VA 23450-9228

Hoke County Tax Collector Post Office Box 217 Raeford, NC 28376-0217	Omni Financial of North Carolina, Inc. 6256 Yadkin Road Suite 101 Fayetteville, NC 28303	Saxon Mortgage Services 4708 Mercantile Drive, North Fort Worth, TX 76137
Internal Revenue Service Post Office Box 21126 Philadelphia, PA 19114-0326	Pioneer Services 4000 S. Eastern Avenue Suite 300 Las Vegas, NV 89119	Terminix Post Office Box 2587 Fayetteville, NC 28302-2587
JC Penney Post Office Box 981131 El Paso, TX 79998-1131	Regional Acceptance Corporation Bankruptcy Department 1420-C East Fire Tower Road Greenville, NC 27858	The Law Offices of John T. Orci 6616-203 Six Forks Road Raleigh, NC 27615
Louisiana Department of Revenue Post Office Box 201 Baton Rouge, LA 70821-0201	Regional Acceptance Corporation Post Office Box 44152 Jacksonville, FL 32231-4152	Troy Durison *NEED ADDRESS*
Meritech 2700 Airport Freeway Fort Worth, TX 76111-2332	Road Loans Com Post Office Box 982026 North Richland Hills, TX 76182-8026	Troy Durison 23 Miller Road Boyce, LA 71409-9735
Military Star Disputes Unit Post Office Box 650410 Dallas, TX 75265-0410	Road Loans.com 5201 Rufe Snow Drive Suite 40 North Richland Hills, TX 76180	US Attorney's Office Middle District Post Office Box 1858 Greensboro, NC 27502-1858
North Carolina Department of Revenue c/o Reginald S. Hinton Post Office Box 25000 Raleigh, NC 27640-5000	Sam's Club Post Office Box 981400 El Paso, TX 79998-1400	Veterans Administration Regional Office 251 North Main Street Winston-Salem, NC 27155
North Carolina Dept of Revenue Post Office Box 1168 Raleigh, NC 27602-1168	Santander Consumer USA Post Office Box 562088 Suite 900 North Dallas, TX 75247-2088	Wal-Mart Post Office Box 981400 El Paso, TX 79998-1400
North Carolina Employment Security Commission Post Office Box 26504 Raleigh, NC 27611-6504	Santander Consumer USA Attention: Bankruptcy Dept. Post Office Box 560284 Dallas, TX 75356-0284	Wells Fargo Home Mortgage Post Office Box 10335 Des Moines, IA 50306-0335